

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DONTA JENKINS,

Plaintiff,

v.

DAVE RIEWESTAHL, et al.

Defendants.

ORDER

Case No. 23-cv-271-wmc

On May 1, 2023, I entered an order assessing plaintiff Donta Jenkins an initial partial payment of \$29.25 in the above case. Now plaintiff has filed a motion to waive the initial partial filing fee. Dkt. 5. I will deny plaintiff's motion without prejudice and provide him an extension of time to submit the initial partial payment.

In calculating the amount of plaintiff's initial partial payment in this case, I used the inmate account statement from the Eau Claire County Jail in Eau Claire, Wisconsin, which plaintiff submitted on April 28, 2023, in support of his for leave to proceed without prepaying the fee. Dkt. 3. Plaintiff is now in custody at the Green Bay Correctional Institution in Green Bay, Wisconsin and has submitted an account statement for April 2023 that shows two deposits totaling \$102.40.

ORDER

IT IS ORDERED that:

1. Plaintiff Donta Jenkins' motion to waive the initial partial payment in the above case, dkt. 5, is DENIED without prejudice.
2. Plaintiff may have an enlargement of time to June 22, 2023, in which to submit a check or money order payable to the clerk of court in the amount of \$29.25 or to submit an

updated inmate account statement or other documentation that shows how his financial situation has changed. If plaintiff does not have enough money to make the initial partial payment from plaintiff's regular account, plaintiff should arrange with authorities to pay the remainder from plaintiff's release account.

3. If, by June 22, 2023, plaintiff fails to make the \$29.25 initial partial payment, or to show cause for his failure to do so, plaintiff will be held to have withdrawn the action voluntarily and the case will be closed without prejudice to plaintiff's filing this case at a later date.

Entered this 30th day of May, 2023.

BY THE COURT:

/s/

ANDREW R. WISEMAN
United States Magistrate Judge